

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

L.B. and M.B., individually and on behalf of their minor child A.B.;
C.M. and A.H., individually and on behalf of their minor child J.M.; and on behalf of others similarly situated,

Plaintiffs,

v.

PREMERA BLUE CROSS,

Defendant.

JUDGMENT IN A CIVIL CASE

CASE NO. C23-0953 TSZ

 Jury Verdict. This action came before the court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

 X **Decision by Court.** This action came on for consideration before the court. The issues have been considered and a decision has been rendered.

THE COURT HAS ORDERED THAT

Pursuant to the Order entered April 18, 2025, docket no. 169, which was reaffirmed by the Order entered August 12, 2025, docket no. 185, judgment is hereby ENTERED as follows.

- (1) Plaintiffs’ motion, docket no. 43, for partial summary judgment as to the liability of defendant Premera Blue Cross (“Premera”) on plaintiffs’ first claim, which is set forth in Paragraphs 123 through 136 of the Second Amended Complaint, docket no. 34, is GRANTED. Judgment is ENTERED in favor of plaintiffs L.B. and M.B., individually and on behalf A.B., and C.M. and A.H., individually and on behalf of J.M., and against Premera, as follows. Pursuant to 28 U.S.C. § 2201, the Court DECLARES that Premera’s Medical Policy – 7.01.557 violates Section 1557 of the Patient Protection and Affordable Care Act of 2010, codified at 42 U.S.C. § 18116, by facially discriminating on the basis of sex. Pursuant to the parties’

stipulation, *see* Prop. Stip. Judgment (docket no. 174), plaintiffs L.B. and M.B., individually and on behalf of A.B., are AWARDED \$25,750 in out-of-pocket expenses and \$1 in nominal damages, for a total of \$25,751, in relation to their claim of discrimination on the basis of sex, and plaintiffs C.M. and A.H., individually and on behalf of J.M., are AWARDED \$1 in nominal damages in relation to their claim of discrimination on the basis of sex, together with costs to be taxed in accordance with Local Civil Rule 54(d), and interest pursuant to 28 U.S.C. § 1961 from the date of this judgment until paid in full. Pursuant to the parties' stipulation, the taxation of costs and all briefing and proceedings related to any motion for attorney's fees pursuant to 42 U.S.C. § 1988(b) are STAYED pending any appeal and further order of the Court.

- (2) Premera's motion for summary judgment, docket no. 79, is GRANTED in part and DENIED in part. Judgment is ENTERED in favor of Premera and against plaintiffs as follows. Plaintiffs' second claim for age discrimination, which is set forth in Paragraphs 137 through 149 of the Second Amended Complaint, docket no. 34, is DISMISSED with prejudice for failure to exhaust. Premera's motion for summary judgment is otherwise DENIED.
- (3) Plaintiffs' motion for class certification, docket no. 38, is DENIED.

Dated this 14th day of August, 2025.

Ravi Subramanian
Clerk

s/Laurie Cuaresma
Deputy Clerk